

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN RE:**

**NELSON VARGAS CORDERO  
MARY J. RODRIGUEZ QUINONES  
  
DEBTORS**

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**CASE NO 98-10612-ESL  
  
CHAPTER 13**

**IN RE:**

**NELSON VARGAS CORDERO  
MARY J. RODRIGUEZ QUINONES**

**PLAINTIFFS**

**Vs.**

**COOPERATIVA DE AHORRO Y CREDITO  
NUESTRA SENORA DE LA CANDELARIA;  
JOHN DOE and JANE ROE;  
X,Y, AND/OR Z INS. COS.**

**ADV. NO.: 11-00151**

**VIOLATION OF DISCHARGE  
INJUNCTIVE RELIEF /  
CONTEMPT/DAMAGES**

**DEFENDANTS**

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**JOSE CARRION MORALES  
CHAPTER 13 TRUSTEE/PARTY IN INTEREST  
CASE # 11-02484**

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**COUNSEL FOR PLAINTIFFS' LOCAL BANKRUPTCY RULE 7026-1(d)  
AFFIDAVIT OF NON-COMPLIANCE**

**TO THE HONORABLE COURT:**

COMES NOW, the attorney for Plaintiffs in the foregoing adversary proceeding and most respectfully states and prays as follows:

1. An initial pre-trial conference was ordered by the Honorable Court and is currently scheduled to be held on November 18, 2011. (Dkt. 9)

2. Pursuant to Federal Rule of Bankruptcy Procedure, Rule 26(f), as adopted pursuant to Local Bankruptcy Rule 7026-1(b), the parties and/or their attorneys must meet and confer within twenty-one days before the initial pre-trial conference established by the Court.
3. Pursuant to Local Rule 7026-1(d), the undersigned counsel for Plaintiffs hereby informs that the Defendant party, CandelCoop, and its attorney of record, have failed to cooperate, communicate, or otherwise state their availability to hold the requisite Rule 26(f) conference within the time prescribed by law, or any other time of their convenience.
4. The undersigned attorney for Plaintiffs has made several calls and emails to counsel for Defendant, most recently on the dates of October 17, 24 & 31, 2011, and again on November 3, 2011, in order to establish a viable date for the conference, or to otherwise provide in agreement with the Defendant or to jointly inform the Court of any progress made or to move for a status conference in lieu of the initial pre-trial conference. To date, the Defendant party and its counsel have not responded or made any effort to confer with the undersigned attorney.
5. In view of the foregoing this affidavit on Non-compliance is being filed in conformity with Local Rule 7026-1(d).
6. Counsel for Plaintiffs prays the Court take notice of the statements made herein and provide any remedy prescribed by local rule, practice or law or which in the discretion of the Court, rectifies this situation, including, but not limited to, the sanctions prescribed by Local Rule 7026-1(d)(2) & (h).

**WHEREFORE**, counsel for Plaintiffs prays that the Court take notice of the content of this Affidavit of Non-compliance and provide as justice requires.

**RESPECTFULLY SUBMITTED**, in Arecibo, Puerto Rico this 7<sup>th</sup> day of November, 2011.

/s Edwin Matos Maldonado  
EDWIN MATOS MALDONADO  
USDC 226403  
FELIX M ZENO GLORO  
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LIAVANESSA FONTANEZ RUIZ  
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**CERTIFICATE OF SERVICE**

We hereby certify that a copy of the foregoing paper was sent to the U.S. Trustee, to the Office of the Chapter 13 Trustee and to Lcda. Cynthia Navarro, counsel for Defendant, CandelCoop, through the Court's electronic filing system at the email address on file with the Court. Counsel for CandelCoop was also notified by email of the filing of this paper.

**RESPECTFULLY SUBMITTED**, in Arecibo, Puerto Rico this 7<sup>th</sup> day of November, 2011.

/s Edwin Matos Maldonado  
EDWIN MATOS MALDONADO  
USDC 226403  
FELIX M ZENO GLORO  
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